IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17110 of 2004

Between:

Kommireddy Satya Surya Chandra Prasad, s/o Satyanarayana, A.P.Electricity Board at Saluru Sub Division, Bobbili, Vizianagaram (Circle), r/o c/o S.Laxmana Rao, J.P.Road, Mummidivari Street, Rajahmundry, Door No.30-3-2/1, East Godavari District.

... PETITIONER

AND

1 The Chairman/Managing Director, Vidyuth Sowdha, Khairatabad, Hyderabad.
2 The Chairman/Managing Director, A.P.E.P.D.C.L., Saraswathi Junction, Visakhapatnam, Visakhapatnam District.
3 Superintending Engineer, Operation Circle, A.P.E.P.D.C.L., Koppugurranna Buildings, Vizianagaram Town & District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more in the nature of writ of mandamus declaring the action of the respondents in not appointing the petitioner as L.D.Clerk as per the Scheme which is a suitable post for him earmarked for Contract Labourers as being arbitrary, illegal, unconstitutional and contrary to their own scheme and consequently direct the respondents to consider the petitioners' case and appoint him to the post of L.D.Clerk.

Counsel for the Petitioner: B.VEERAIAH

Counsel for the Respondent Nos.1 to 3: MR.S.RAVINDRANATH

The Court at the admission stage made the following:

ORAL ORDER:

1. The petitioner contends that he worked as a casual labour in the first respondent Corporation from 1996 to 1998 and he is possessing requisite qualifications for absorption in regular vacancies of Junior Linemen as per the Memos issued by the first respondent vide T.O.O. (CGM-HRD) Ms.No.275 (Personal Services) and T.O.O. (CGM-HRD) Ms.No.263 dated 01-03-2004 and 10-2-2004 respectively. The petitioner further contends that the respondents conducted interview to the petitioner to the post of Junior Lineman along with others, but he was not considered on the ground that the posts of Junior Linemen were exhausted to the extent of the quota provided to them. He also contends that there are 24 vacancies of Junior Linemen as on today and the respondents are proposing to fill up those vacancies within short-time, therefore, he approached this Court seeking a direction to the respondents to consider his case for appointment as a Junior Lineman on contract basis.

2. In the light of the circumstances explained by the petitioner, the petitioner is directed to make an application to the post of Junior Lineman as and when a notification was issued by the respondents, and, on making of such an application by the petitioner, the respondents shall examine the eligibility of the petitioner along with other candidates and pass appropriate orders according to the rules. The writ petition is accordingly disposed of.

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(Dr.G.Yethirajulu, J)

29th October 2004

svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman/Managing Director, Vidyuth Sowdha, Khairatabad, Hyderabad
2. The Chairman/Managing Director, A.P.E.P.D.C.L., Saraswathi Junction, Visakhapatnam, Visakhapatnam District.
3. The Superintending Engineer, Operation Circle, A.P.E.P.D.C.L., Koppugurranna Buildings, Vizianagaram Town & District.
4. Mr.B.Veeraiah, Advocate (OPUC)
5. Mr.S.Ravindranath, Advocate (OPUC)
6. 2 CD copies.

*Form-NIC-OGS/WP{**RS**}*